

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

JOHN A. WHEELER

CRIMINAL CASE NO.

1:13-CR-97-3-JEC


REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY¹

The defendant, JOHN A. WHEELER ("Defendant"), by consent, has appeared before me and has entered a plea of guilty to COUNT TWELVE (12) of the Criminal Indictment filed on March 19, 2013. After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, I have determined that the guilty plea was knowing and voluntary, and that the plea to the offense charged is supported by an independent basis in fact establishing each of the essential elements of such offense. I have also determined that the defendant understood and knowingly agreed to the limited waiver of appeal contained in his plea agreement.

¹ Failure to file written objections to this Report and Recommendation within *FOURTEEN (14) DAYS* after service of a copy of this Report and Recommendation shall bar an aggrieved party from attacking such report and recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).

I, therefore, **RECOMMEND** that the plea of guilty be accepted and that the defendant be adjudged guilty and have sentence imposed accordingly.

SO ORDERED this 10th day of January, 2014.



GERRILYN G. BRILL
UNITED STATES MAGISTRATE JUDGE